IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 13983 of 2004

Between:

Y.Rama Krishna Reddy, S/o Y.Narsa Reddy, Alasandaguthy Village, Adoni Mandal, Kurnool District

..... PETITIONER

AND

1 The Joint Collector, Kurnool, Kurnool District
2 The Revenue Divisional Officer, Adoni, Kurnool District
3 The Mandal Revenue Officer, Adoni Mandal, Kurnool District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings of the 2nd respondent bearing Rc.M.No.729/2004 dated 17-07-2004, as illegal, void and ultravires of the provisions of A.P.Schedule Commodities (Regulation of Distribution by Card System) Order, 1973 and consequently direct the Respondents herein to restore the authorization of the fair price shop of the Petitioner situated in Alasandaguthy Village, Adhoni Mandal, Kurnool District

Counsel for the Petitioner: MR.K.V.RAGHU VEER

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following:

ORDER:

The petitioner is an authorised Fair Price Shop Dealer in Alasandaguthy village, Adoni Mandal, Kurnool.

This writ petition is filed aggrieved by the proceedings of the Revenue Divisional Officer, Adoni, Kurnool District, dated 17.07.2004 whereunder the authorisation of the petitioner is suspended pending enquiry into the alleged irregularities. The petitioner states that against the said order, he has already filed an appeal before the first respondent along with a stay application, but the same has not been considered so far and in the meanwhile, the second respondent is taking steps to implement the impugned order of suspension.

I have heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

Having regard to the facts and circumstances of the case and keeping in view the fact that the statutory appeal is pending before the first respondent, it would be appropriate to permit the petitioner to distribute the essential commodities till the disposal of the appeal. Accordingly, the writ petition is disposed of with a direction to the first respondent to consider the appeal preferred by the petitioner against the order of the Revenue Divisional Officer, Adoni, Kurnool District, dated 17.07.2004 and dispose of the same in accordance with law as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

It is made clear that till the appeal is disposed of, the impugned order of suspension dated 17.07.2004 shall not be given effect to.

09.08.2004

VGB

To

1 The Joint Collector, Kurnool, Kurnool District
2 The Revenue Divisional Officer, Adoni, Kurnool District
3 The Mandal Revenue Officer, Adoni Mandal, Kurnool District

4 2CCs to the Government Pleader for Civil Supplies, High Court Buildings, Hyderabad (OUT)

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